

**STATEMENT OF DR. JAMES TATE, JR.**  
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**BEFORE THE HOUSE RESOURCES SUBCOMMITTEES ON**  
**FISHERIES CONSERVATION, WILDLIFE AND OCEANS,**  
**FORESTS AND FOREST HEALTH, and**  
**NATIONAL PARKS, RECREATION AND PUBLIC LANDS,**  
**ON**  
**H.R. 3558, THE SPECIES PROTECTION AND CONSERVATION**  
**OF THE ENVIRONMENT ACT**

**March 14, 2002**

Mr. Chairmen, my name is Jim Tate, and I am the science advisor to the Secretary of the Interior. Thank you for the opportunity to appear before your Committee to present the views of the Department of the Interior on H.R. 3558, the *Species Protection and Conservation of the Environment Act of 2001*.

The Department commends Congress for recognizing the serious threat to the United States posed by invasive species, particularly with respect to the health of the environment and the strength of our national economy. Our programs on invasive species need the support of the Congress to in order to help build capacity at State and local levels for managing invasive species on our lands and waters and those of our neighbors, especially in pursuit of cooperative conservation goals. We are encouraged by this bill and others introduced in prior sessions of the Congress that emphasize streamlined efforts to focus efforts on-the-ground projects. However, we need to identify more clearly the possible costs of this proposal and how it would be funded within the context of the current budget climate and the priorities reflected in the President's budget.

Researchers at Cornell University estimate that invasive species are costing Americans approximately \$137,000,000,000 per year (Pimentel et. al. 2000). Invasive species degrade habitats for native fish and wildlife, disrupt the equilibrium of plant and animal communities across the country, and have been linked to the decline of more than a third of all threatened and endangered species. (Wilcove, D.S., et. al. 1998, "Quantifying Threats to Imperiled Species in the United States" BioScience 48: 607-615.) The U.S. Fish and Wildlife Service estimates that \$29,000,000 of the Tier 1 projects identified in the Refuge Operations Needs is attributed to increasing impacts from invasive species. Managing invasive species is a priority for the Department. The National Invasive Species Council, which is co-chaired by the Secretary of the Interior, together with the Secretaries of Commerce and Agriculture, coordinates the invasive species efforts of ten different Federal departments and agencies to ensure that our actions are efficient and effective. We look forward to the opportunity to work with Congress to strengthen our nation's ability to identify, control, and eradicate these incipient invaders.

The Department of the Interior's program investment in invasive species is second only to USDA. In FY

2000, DOI spent \$31 million, approximately 5 percent of the total Federal invasive species expenditures (U.S. General Accounting Office 2000). Spending accelerated significantly from \$17M in FY 1999 to \$41M in FY 2002. The Department proposes to spend \$40.8 million in 2003:

(1) to fight invasive plants and animals on National Wildlife Refuges, National Parks (including Exotic Plant Management Teams under the Natural Resources Challenge), BLM lands (including removal of weeds contributing to unnatural wildfire cycles and post-fire restoration), and waters under the jurisdiction of the Bureau of Reclamation;

(2) to stem the onslaught of aquatic nuisance species such as the sea lamprey, Caulerpa alga, Eurasian ruffe, Giant Salvinia water fern, and the Asian swamp eel primarily through the Fish and Wildlife Service (FWS), BOR, and USGS;

(3) to build partnerships with private landowners to eliminate harmful alien species and to restore native plant and animal communities (FWS Partners for Fish and Wildlife and the Pulling Together Initiative of the National Fish and Wildlife Foundation); and

(4) to provide research and information sharing tools for monitoring, prevention, and control and accountability in the US Geological Survey.

The Department provides support for the National Invasive Species Council and the Invasive Species Advisory Committee to build direct stakeholder involvement and collaboration between federal agencies and non-federal partners fighting accelerating bioinvasions. Interior plays a major role in invasive species activities: leadership and coordination, prevention, early detection and rapid response, control and management, restoration, international cooperation, research, information management, and education and public awareness.

We support the conservation principles and findings embodied in this legislation, and strongly support the need to promote strong partnerships among Federal, State, Tribal, local, and private landowners. We recognize that Federal land management agencies such as the U.S. Fish and Wildlife Service, the National Park Service, the Bureau of Land Management, and the U.S. Forest Service play key roles in managing invasive species, particularly at the local level where communities are struggling to find support for protection of the environment, sustainable agriculture, and economic stability. The concepts included in H.R. 3558 represent several mechanisms where the Federal sector could increase the amount of support it has to offer. The bill also expands invasive species prevention and control on public lands by increasing the capacity of Federal landowners to manage native systems by reducing the impacts of invasive species. We applaud the Committee's interest in utilizing the National Wildlife Refuge System for demonstration projects to develop new techniques and procedures to restore native fish and wildlife habitats through the control of invasive species. We support the bill's objective of enhancing the cooperative efforts between the public and private sectors in the battle against invasive species.

H.R. 3558 establishes Federal cost-share grant programs similar to other invasive species management bills sponsored in both the House and the Senate over the past year, including H.R. 1462 on which I testified during the last session. The Department has identified several concerns with the bill. I will outline these concerns and several clarifying modifications briefly in this statement. It is our understanding that other Federal agencies may have additional concerns.

H.R. 3558 expands invasive species prevention and control partnerships through four grant programs. The

first establishes a mechanism to develop State assessments, or plans, which identify State priorities for controlling invasive alien species. The bill details a Federal cost-share program that will fund States to help build the capacity of individual, local, State, and Federal landowners to restore, manage, or enhance native fish or wildlife and their habitats through control of invasive species, including aquatic species. Providing technical and financial assistance for the development of State assessments on aquatic invasive species is an important role of the U.S. Fish and Wildlife Service. H.R. 3558 recognizes this role and provides such assistance. We point out that Section 4 of this bill provides a different mechanism for the development of State/Interstate Management Plans than those being developed under the authority of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (NANPCA) reauthorized as the National Invasive Species Act (NISA) .

Under NANPCA, plans developed by the States must follow specific guidelines and are submitted to the Task Force for approval. Once approved, States can receive funding from the U.S. Fish and Wildlife Service to implement the State plans. Although H.R. 3558 allows the Director of the U.S. Fish and Wildlife Service to accept plans developed prior to the enactment of this bill, the development of plans under Section 4 should complement and not conflict with existing programs. In addition, the process for developing and implementing these plans would need to be transparent and easy for States to follow, possibly through guidance that provides the necessary detail to allow for the submission of comprehensive and consistent plans.

The second grant program authorized by H.R. 3558 promotes greater cooperation among Federal, State, local, and private landowners to prevent and control invasive species through a voluntary, incentive-based financial assistance program, known as The Aldo Leopold Native Heritage Program. This program provides additional financial support for needed on-the-ground management activities. We note that similar cost-share programs are currently supported by the Department of the Interior in concert with the National Fish and Wildlife Foundation, such as "Seeking Common Ground", "Bring Back the Natives", and, particularly, the "Pulling Together Initiative." The "Pulling Together Initiative" is a grant program for private, State, and Federal entities that leverages funds to conduct on-the-ground invasive plant management. The "Pulling Together Initiative" is also supported by the Departments of Agriculture and Defense. The program has grown to nearly \$19 million per year, including matching funds from states that participate in the program. We view the requirements and grants established by this bill as complementary to existing programs such as "Pulling Together" and other native fish and wildlife habitat restoration cost-share programs.

While we applaud development of State assessments to set priorities and increase accountability, we are concerned that many otherwise eligible participants in the Aldo Leopold Native Heritage Program may not qualify for funding until the assessments are completed. This may limit the program's effectiveness, particularly if the State assessments take years to complete. In the case of State invasive species plans developed under NANPCA, only nine State/Interstate Aquatic Nuisance Management Plans have been developed over the past 10 years. One of the key elements of a successful invasive species management program includes the ability to respond rapidly to new or small infestations. We are concerned that there may be a significant number of private landowners, local organizations, and other partners prepared to conduct scientifically-sound invasive species control projects, but whose projects will not qualify for grants because of the restrictions in Section 5 of H.R. 3558. Language that would lift this restrictive requirement, while continuing to require accountability and effective coordination of projects funded under Section 5, would address this concern.

Section 5 of the bill also requires projects to have objectives that have no negative impact on the bioregion in which they are carried out. Although we agree with this concept, it may prove difficult to ensure that no

negative impacts will occur, depending upon the scale on which the impacts are measured. Minor, short-term negative impacts may be a necessary phase of a science-based native fish and wildlife habitat enhancement project that has a long-term goal of restoring a bioregion. It would be helpful to clarify this point, and to amend the term "bioregion" to correspond to the ecoregions of the United States as determined by the U.S. Department of Agriculture.

Additionally, Section 5 of H.R. 3558 requires that projects must be conducted in partnership with a "Federal Agency." The term "Federal Lands", as defined in Section 3 of the bill, is limited to all lands and waters owned and administered by the Department of the Interior or the National Forest Service or held in trust by the Federal Government for an Indian tribe. We are concerned that limiting the definition of "Federal Lands" in Section 3 may conflict with the Federal Agency requirement in Section 5, particularly in the case of partnerships to restore native fish and wildlife habitats on military lands and waters. Expanding the definition of "Federal Lands" to include military and other Federal lands and waters, or developing a definition of "Federal Agency" which would include agencies within the Department of Defense, Department of Transportation, Department of Commerce, and other agencies involved with the National Invasive Species Council would help strengthen this section.

Section 5 of H.R. 3558 states that projects must be conducted on Federal lands and adjacent non-Federal lands or waters. Since many invasive organisms spread easily through the watercourses within a watershed, the term "adjacent non-Federal lands" should be defined broadly to allow for projects anywhere in the same watershed. This would allow for projects to be conducted in remote locations that can reasonably be expected to act as a source for invasive species on Federal lands and in waters adjoining Federal lands.

Section 5 of H.R. 3558 also details the contents of a 2-year report required to be submitted by the grantee. We are concerned that several of the requirements entail extensive biological sampling that could be very expensive, time consuming, and may limit the number of partners that are interested in taking part in the program. We are also concerned about the administrative burden of compiling and analyzing the monitoring data. Clarification that the Council could delegate duties to the appropriate agency, if necessary, while maintaining an oversight role would address this concern. We believe this Section should be modified to achieve accountability goals that facilitate the collection of useful data, yet prevent the expenditure of excessive resources on reporting that may limit on-the-ground accomplishments, and to develop inventorying and monitoring criteria that would meet the intent of the bill while using the best available science.

The third initiative in H.R.3558 establishes a demonstration program, utilizing the National Wildlife Refuge System, to develop new technologies and methods to restore native fish and wildlife habitats by controlling aquatic and terrestrial invasive alien species. This program will complement a new fish and wildlife research demonstration program underway in the National Wildlife Refuge System. We note that other Federal bureaus and agencies may wish to implement similar demonstration programs on Federal lands and waters, thus expanding the role of all Federal land and water management agencies in the development of new strategies for invasive alien species prevention and control. Appropriate modifications to this section of the bill would facilitate such implementation.

The fourth program authorized by H.R. 3558 would provide financial assistance to States for conducting rapid response activities to eradicate and/or prevent the spread of new infestations of harmful non-native invasive species. We are encouraged by the desire of the Committee to improve the capacity of the States to respond rapidly to new invasive species infestations and conduct preventative response efforts to control the spread to new locations. The bill could be modified to require the Secretary to coordinate with existing early

detection and rapid response programs and other Federal agency programs that deal with invasive species. Additionally, the bill could also be strengthened by including language to allow the responsible agency to enact administrative policies for the cost-share program.

H.R. 3558 appears to us as though it may interfere with other authorities and laws not related to acquisition of lands and waters or interests therein. Language should be included that would prevent such interference.

Finally, the Administration has additional concerns, such as appropriate cost share amounts and grant award criteria that would benefit by further clarification to sharpen its focus on priorities and performance.

I appreciate the opportunity to appear before this Committee to discuss the issue of invasive species and I wish to thank you, Representative Rahall, as well as Chairman Gilchrest and Representative Underwood, for your efforts to address this issue. We support the mutual goal of assisting States, Tribes, and private landowners to prevent, control, and manage non-native invasive species while recognizing the need to maintain a strong partnership with neighboring federal lands and waters.

This concludes my formal remarks. I would be happy to answer any questions that you may have.

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